

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARK EDIE ANDERSON,
Plaintiff,

v.

RAVALLI COUNTY SHERIFF, et al.,
Defendants.

Case No. 23-cv-06526 NC (PR)

ORDER OF TRANSFER

Plaintiff, who resides in Montana, filed a pro se civil rights complaint under 42 U.S.C. § 1983 against the Ravalli County Sheriff, the State of Montana, and various individuals in Montana and Colorado. Dkt. No. 1 at 1-2. Plaintiff alleges that the Sheriff is preventing him from visiting his dying mother, who resides in Montana, and that his sister and other defendants are excluding him from doing so “in violation of the U.S. and Montana Constitution rights to care for your parent.” *Id.* at 3.

Because the acts complained of occurred in the State of Montana, which lies within the venue of the United States District Court of Montana, *see* 28 U.S.C. § 106, venue properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). This Court has discretion to either dismiss the case for incorrect venue or transfer it to the proper federal court “in the interest of justice.” *See* 28 U.S.C. § 1406(a). The Court concludes that the interests of justice are best served by the immediate transfer of this action to the United States District Court of Montana.

Accordingly, this case is TRANSFERRED to the United States District Court of

Montana. *See* 28 U.S.C. § 1406(a).

The Clerk shall terminate all pending motions and transfer the entire file to the District Court in Montana.

IT IS SO ORDERED.

Dated: December 21, 2023


NATHANAEL M. COUSINS
United States Magistrate Judge

United States District Court
Northern District of California

Order of Transfer
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